



THE CITY OF NEW YORK
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August 2, 2022

BY ECF

Honorable Jesse M. Furman
United States District Court
Southern District of New York
40 Centre Street
New York, New York 10007

Re: Ronald Colson v. Warden Mingo, et al.
18 Civ. 2765 (JMF) (VF)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and the attorney assigned to represent defendants in the above-referenced matter. Defendants write to respectfully request a 5-week extension of time to file their motion for summary judgment, from August 4, 2022, until September 8, 2022.¹

Defendants request this extension for two reasons. First, the undersigned is currently in trial in another matter pending in this district – *Rosario v. City of New York, et al.*, Civil Docket No. 18-CV-4023 (LGS) – which is expected to continue for another week and a half and conclude on or about August 12, 2022.² Additionally, in the parties' last letter regarding the briefing schedule for defendants' motion for summary judgment, they informed the Court that they were still working to schedule the last two depositions in this action and were hoping to complete those depositions during the third week of June. See ECF No. 113. Unfortunately, due to multiple scheduling conflicts, the parties were only able to complete those depositions on Thursday, July

¹ Defendants have sought but not yet received plaintiff's position regarding consent but submit this application in accordance with Your Honor's Individual Rules and Practices in Civil Cases, which require this request to be made at least 48 hours prior to the August 4th deadline.

² At the time defendants proposed August 4, 2022 as their summary judgment filing deadline in the parties' last letter, ECF No. 113, the undersigned had not yet been assigned to the *Rosario* trial.

21st. Accordingly, the parties have not yet received the transcripts for these depositions, which may be necessary to cite in defendants' motion for summary judgment.

For these reasons, defendants respectfully request an extension until September 1, 2022, to file their motion for summary judgment. Defendants do not know how much time plaintiff will require to oppose the motion, but defendants propose corresponding 5-week extensions of plaintiff's opposition deadline (from September 1 until October 6, 2022), and defendants' reply deadline (from September 15 until October 20, 2022).

Defendants thank the Court for its attention to this matter.

Respectfully submitted,

Evan J. Gottstein /s/

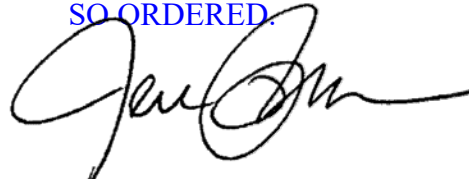
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Application GRANTED. Further extension requests are unlikely to be granted. The Clerk of Court is directed to terminate ECF No. 114.

SO ORDERED.



August 3, 2022